USDC SDNY

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORKX			DOCUMENT ELECTRONICALLY FILED DOC #:_ DATE FILED: 7/23/2021
GREGORY SCHEINDLIN,		:	
	Plaintiff,	: :	
		:	21-cv-1124 (LJL)
-V-		:	
		:	<u>ORDER</u>
JAMES BRADY,		:	
		:	
	Defendant.	:	
		:	
		X	

LEWIS J. LIMAN, United States District Judge:

Defendant's submission, at Dkt. No. 126, is stricken from the record by the Court *sua sponte*. The Court has previously ordered that "Defendant shall not, in any appearance before this Court and in any submission made to the Court, use language that is disrespectful of the Court, opposing counsel, or the opposing parties, including but not limited to language that accuses any judge of this Court, opposing counsel, or opposing parties in words or in substance of being a criminal, corrupt, or a liar." Dkt. No. 23 (citing *United States v. Marshall*, 371 F.3d 42, 47-48 (2d Cir. 2004)).

The Court understands that part of Mr. Brady's defense to the claims against him is that the substance of his allegedly defamatory remarks is in fact true. However, Mr. Brady need not—and, by the Order at Dkt. No. 23 and by this Order, is ordered not to—repeat those remarks in submissions to the Court except where necessary to interpose his defense.

In his letter at Dkt. No. 126, Mr. Brady raises the issue of the briefing schedule on his motion for summary judgment at Dkt. No. 123. The Court previously ordered that Plaintiff may make his motion for summary judgment on or before August 1, 2021. The following schedule

Case 1:21-cv-01124-LJL-SDA Document 127 Filed 07/23/21 Page 2 of 2

shall govern the subsequent summary judgment briefing:

Plaintiff may file its opposition to Defendant's motion for summary judgment simultaneously with Plaintiff's own motion for summary judgment, i.e. on or before August 1, 2021; Defendant may file his reply in further support of his motion for summary judgment simultaneously with his opposition to Plaintiff's motion of summary judgment, and those shall be filed by August 16, 2021; Plaintiff's reply in further support of its motion shall be filed by August 23, 2021.

The Clerk of Court is respectfully directed to mail a copy of this Order to Defendant.

SO ORDERED.

Dated: July 23, 2021

New York, New York

LEWIS J. LIMAN United States District Judge